

Notice of Allowability

Application No.

10/723,769

Examiner

MARY STEELMAN

Applicant(s)

BLUMENTHAL ET AL.

Art Unit

2191

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/08/2007.
2. ☒ The allowed claim(s) is/are 1-21 (to be renumbered in order).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Art Unit: 2191

DETAILED ACTION

1. This Office Action is in response to Amendments and Remarks received 05/08/2007. Per Applicant's request, claims 1, 3, 4, 7, 9, 10, 13, 14, 15, and 16 have been amended. New claims 19, 20, and 21 have been added. Claims 1-21 are pending. The Specification has been amended. Replacement Sheet Drawings are accepted.

Specification

4. In view of the amendments to the Specification, the prior objections are hereby withdrawn.

Drawings

5. In view of the amendments to the drawings, the prior objections are hereby withdrawn.

Claim Rejections - 35 USC § 101

6. In view of the amendments to claims 7-13, the prior 35 USC 101 rejections are hereby withdrawn.

EXAMINER'S AMENDMENT

7. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Hans R. Troesch, Reg. No. 36,950 on 05/11/2007.

The application has been amended as follows:

Claims 1, 7, and 13, on the third from last line, and the last line, correct the spelling by changing “heirarchy” to –hierarchy-- (i before e).

Claims 4, 10, and 16:

Delete all words following ‘object oriented programming language’ on line 2.

~~“including at least one of the ABAP programming language, JAVA programming language, C++ programming language, or C# programming language”.~~

Allowable Subject Matter

8. Claims 1-21 (to be renumbered in order) are allowed.
9. The following is an examiner’s statement of reasons for allowance:

Griffin and other cited prior arts, taken alone or in combination, fail to teach or suggest all limitations of independent claims 1, 7, and 13, including:

“controlling the test execution flow inside the test hierarchy in the event of failure according to a parameter value of the call to the test assertion method, the parameter values available for controlling the test execution flow including values specifying:

continuing the test execution flow with a next statement in the test method;

interrupting the test execution flow of the test method and continuing the test execution flow with any remaining test methods in the test hierarchy; and

Art Unit: 2191

interrupting the test execution flow of a test class containing the test method and continuing the test execution flow with any remaining test classes in the test hierarchy.”

Moreover, evidence for modifying the prior art teachings by one of ordinary skill level in the art was not uncovered so as to result in the invention.

Thus, all remaining dependent claims, claims 2-6, 8-12, and 14-21 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant’s disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Steelman, whose telephone number is (571) 272-3704. The examiner can normally be reached Monday through Thursday, from 7:00 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Wei Zhen can be reached at (571) 272-3708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mary Steelman

05/11/2007

Mary Steelman
Primary Examiner